

U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:18-cv-02902-SDA

The New York Times Company et al v. United States Bureau of Alcohol, Tobacco, Firearms, and Explosives
Assigned to: Magistrate Judge Stewart D. Aaron
Cause: 05:552 Freedom of Information Act

Date Filed: 04/02/2018
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**The New York Times Company**

represented by **John Langford**
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ATTORNEY TO BE NOTICED

Plaintiff**Eileen Sullivan**

represented by **John Langford**
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant**United States Bureau of Alcohol, Tobacco, Firearms, and Explosives**

represented by **Emily Elizabeth Bretz**
United States Attorney's Office
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LEAD ATTORNEY
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Date Filed	#	Docket Text
04/02/2018	<u>1</u>	COMPLAINT against United States Bureau of Alcohol, Tobacco, Firearms, and Explosives. (Filing Fee \$ 400.00, Receipt Number 0208-14887516) Document filed by The New York Times Company, Eileen Sullivan.(Langford, John) (Entered: 04/02/2018)
04/02/2018	<u>2</u>	FILING ERROR – PDF ERROR – CIVIL COVER SHEET filed. (Langford, John) Modified on 4/3/2018 (jgo). (Entered: 04/02/2018)
04/02/2018	<u>3</u>	FILING ERROR – DEFICIENT PLEADING – SUMMONS REQUEST PDF ERROR – REQUEST FOR ISSUANCE OF SUMMONS as to United States Bureau of Alcohol, Tobacco, Firearms, and Explosives, re: <u>1</u> Complaint. Document filed by Eileen Sullivan, The New York Times Company. (Langford, John) Modified on 4/3/2018 (jgo). (Entered: 04/02/2018)
04/02/2018	<u>4</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Other Affiliate Grupo Financiero Inbursa, S.A.B. de C.V. for The New York Times Company. Document filed by Eileen Sullivan, The New York Times Company.(Langford, John) (Entered: 04/02/2018)

04/03/2018		***NOTICE TO ATTORNEY REGARDING DEFICIENT CIVIL COVER SHEET. Notice to attorney John Langford to RE-FILE Document No. <u>2</u> Civil Cover Sheet. The filing is deficient for the following reason(s): pdf not signed or dated by attorney; Re-file the document using the event type Civil Cover Sheet found under the event list Other Documents and attach the correct PDF. Use civil cover sheet issued by S.D.N.Y. dated June 2017. The S.D.N.Y. Civil Cover Sheet dated June 2017 is located at <u>http://nysd.uscourts.gov/file/forms/civil-cover-sheet..(jgo)</u> (Entered: 04/03/2018)
04/03/2018	<u>5</u>	CIVIL COVER SHEET filed. (Langford, John) (Entered: 04/03/2018)
04/03/2018		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above-entitled action is assigned to Judge Gregory H. Woods. Please download and review the Individual Practices of the assigned District Judge, located at <u>http://nysd.uscourts.gov/judges/District</u> . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at <u>http://nysd.uscourts.gov/ecf_filing.php</u> . (jgo) (Entered: 04/03/2018)
04/03/2018		Magistrate Judge Stewart D. Aaron is so designated. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: <u>http://nysd.uscourts.gov/forms.php</u> . (jgo) (Entered: 04/03/2018)
04/03/2018		Case Designated ECF. (jgo) (Entered: 04/03/2018)
04/03/2018		***NOTICE TO ATTORNEY REGARDING DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS. Notice to Attorney John Langford to RE-FILE Document No. <u>3</u> Request for Issuance of Summons,. The filing is deficient for the following reason(s): party name whom summons is for is not exactly correct on pdf;. Re-file the document using the event type Request for Issuance of Summons found under the event list Service of Process – select the correct filer/filers – and attach the correct summons form PDF. (jgo) (Entered: 04/03/2018)
04/03/2018	<u>6</u>	REQUEST FOR ISSUANCE OF SUMMONS as to United States Bureau of Alcohol, Tobacco, Firearms, and Explosives, re: <u>1</u> Complaint. Document filed by Eileen Sullivan, The New York Times Company. (Langford, John) (Entered: 04/03/2018)
04/04/2018	<u>7</u>	ELECTRONIC SUMMONS ISSUED as to United States Bureau of Alcohol, Tobacco, Firearms, and Explosives. (jgo) (Entered: 04/04/2018)
04/11/2018	<u>8</u>	AFFIDAVIT OF SERVICE (FOIA CASE) of Summons and Complaint served. United States Bureau of Alcohol, Tobacco, Firearms, and Explosives served on 4/9/2018, answer due 5/9/2018. Service was made by MAIL. Document filed by The New York Times Company; Eileen Sullivan. (Langford, John) (Entered: 04/11/2018)
04/11/2018	<u>9</u>	AFFIDAVIT OF SERVICE (FOIA CASE) of Summons and Complaint served. United States Attorney General served on 4/9/2018, answer due 5/9/2018. Service was made by MAIL. Document filed by The New York Times Company; Eileen Sullivan. (Langford, John) (Entered: 04/11/2018)
04/11/2018	<u>10</u>	AFFIDAVIT OF SERVICE (FOIA CASE) of Summons and Complaint served. United States Attorney's Office, Southern District of New York served on 4/9/2018, answer due 5/9/2018. Service was made by MAIL. Document filed by The New York Times Company; Eileen Sullivan. (Langford, John) (Entered: 04/11/2018)
05/01/2018	<u>11</u>	NOTICE OF INITIAL CONFERENCE: Initial Conference set for 6/26/2018 at 04:30 PM in Courtroom 12C, 500 Pearl Street, New York, NY 10007 before Judge Gregory H. Woods. (Signed by Judge Gregory H. Woods on 5/1/2018) (rro) (Entered: 05/01/2018)
05/08/2018	<u>12</u>	ANSWER to <u>1</u> Complaint. Document filed by United States Bureau of Alcohol, Tobacco, Firearms, and Explosives.(Bretz, Emily) (Entered: 05/08/2018)
05/09/2018	<u>13</u>	ORDER: It is hereby ORDERED that the parties must discuss whether they are willing to consent, under 28 U.S.C. § 636(c), to conducting all further proceedings before the assigned Magistrate Judge. If both parties consent to proceed before the Magistrate

		Judge, counsel for the defendant must, within two weeks of the date of this order mail or email directly to the Orders and Judgments Clerk (judgments@nysd.uscourts.gov) a fully executed Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form, a copy of which is attached to this order (and also available at http://nysd.uscourts.gov/file/forms/consent-to-proceed-before-us-magistrate-judge); and as further set forth herein. SO ORDERED. (Signed by Judge Gregory H. Woods on 5/9/2018) (anc) Modified on 5/10/2018 (anc). (Entered: 05/09/2018)
05/17/2018	<u>14</u>	CONSENT TO JURISDICTION BY A US MAGISTRATE JUDGE (Case No Longer Referred to Magistrate Judge) CASE ASSIGNED to Magistrate Judge Stewart D. Aaron. (Signed by Judge Gregory H. Woods on 5/17/2018) (mro) (Entered: 05/18/2018)
05/18/2018		NOTICE of Hearing: The parties are directed to appear via Telephone for an initial conference in the above-captioned matter on Friday, May 25, 2018, at 10:00 a.m. EST. The parties shall call the Court's conference line at 212-805-0110 once all parties are on the line. (Telephonic Initial Conference set for 5/25/2018 at 10:00 AM before Magistrate Judge Stewart D. Aaron) (kl) (Entered: 05/18/2018)
05/25/2018	<u>15</u>	ORDER: The above-captioned case, brought pursuant to the Freedom of Information Act ("FOIA"), is before me to conduct all proceedings in this case. (See ECF No. 14.) Plaintiffs, The New York Times Company and Eileen Sullivan ("Plaintiffs"), seek to compel the United States Bureau of Alcohol, Tobacco, Firearms and Explosives (the "Government") to release records of internal and external communications relating to the regulation of bump stocks for AR-15-type rifles. (Compl., ECF No. 1, 3, 11, 12.) Following an initial conference via telephone with the parties on May 25, 2018, it is hereby ORDERED as follows: 1. On or before June 8, 2018, the Government shall begin a rolling production of documents responsive to Plaintiffs' FOIA requests. 2. On June 15, 2018, the parties shall file a joint letter regarding the status of production. SO ORDERED. (Signed by Magistrate Judge Stewart D. Aaron on 5/25/2018) (kl) (Entered: 05/25/2018)
05/25/2018		Minute Entry for proceedings held before Magistrate Judge Stewart D. Aaron: Telephonic Initial Pretrial Conference held on 5/25/2018. (kl) (Entered: 05/25/2018)
06/15/2018	<u>16</u>	JOINT LETTER addressed to Magistrate Judge Stewart D. Aaron from Plaintiffs and Defendant dated June 15, 2018 re: Status of Productions. Document filed by Eileen Sullivan, The New York Times Company.(Langford, John) (Entered: 06/15/2018)
06/18/2018	<u>17</u>	MEMO ENDORSEMENT on re: <u>16</u> Letter filed by The New York Times Company, Eileen Sullivan. ENDORSEMENT: The parties shall submit a joint status report on July 20, 2018 updating the Court on the status of production. (Signed by Magistrate Judge Stewart D. Aaron on 6/18/2018) (kl) (Entered: 06/18/2018)
07/19/2018	<u>18</u>	STATUS REPORT. Document filed by United States Bureau of Alcohol, Tobacco, Firearms, and Explosives.(Bretz, Emily) (Entered: 07/19/2018)
07/19/2018	<u>19</u>	MEMO ENDORSEMENT on re: <u>18</u> STATUS REPORT. Document filed by United States Bureau of Alcohol, Tobacco, Firearms, and Explosives. ENDORSEMENT: Requested GRANTED. The parties shall submit another joint status report no later than September 7, 2018. SO ORDERED. (Signed by Magistrate Judge Stewart D. Aaron on 7/19/2018) (rjm) (Entered: 07/19/2018)
09/07/2018	<u>20</u>	STATUS REPORT. Document filed by United States Bureau of Alcohol, Tobacco, Firearms, and Explosives.(Bretz, Emily) (Entered: 09/07/2018)
09/10/2018	<u>21</u>	MEMO ENDORSEMENT on re: <u>20</u> Status Report, filed by United States Bureau of Alcohol, Tobacco, Firearms, and Explosives. ENDORSEMENT: Request GRANTED. SO ORDERED. (Signed by Magistrate Judge Stewart D. Aaron on 9/10/2018) (kl) (Entered: 09/10/2018)
10/17/2018	<u>22</u>	STATUS REPORT. <i>In re: collection, review, and production of documents</i> Document filed by United States Bureau of Alcohol, Tobacco, Firearms, and Explosives.(Bretz, Emily) (Entered: 10/17/2018)
10/17/2018	<u>23</u>	MEMO ENDORSEMENT on re: <u>22</u> Status Report filed by United States Bureau of Alcohol, Tobacco, Firearms, and Explosives. ENDORSEMENT: Request GRANTED. The next status update from the parties shall be jointly submitted no later than

		November 28, 2018. SO ORDERED. (Signed by Magistrate Judge Stewart D. Aaron on 10/17/2018) (anc) (Entered: 10/17/2018)
11/28/2018	<u>24</u>	STATUS REPORT. Document filed by United States Bureau of Alcohol, Tobacco, Firearms, and Explosives.(Bretz, Emily) (Entered: 11/28/2018)
11/28/2018	<u>25</u>	MEMO ENDORSEMENT on re: <u>24</u> Status Report filed by United States Bureau of Alcohol, Tobacco, Firearms, and Explosives. ENDORSEMENT: SO ORDERED. (Signed by Magistrate Judge Stewart D. Aaron on 11/28/2018) (anc) (Entered: 11/28/2018)
12/27/2018	<u>26</u>	STANDING ORDER M10-468 The United States Attorney's Office shall notify the Court immediately upon the restoration of Department of Justice funding. (As further set forth in this Order.) (Signed by Judge Colleen McMahon on 12/27/2018) (cf) (Entered: 01/07/2019)
12/27/2018		Case Stayed (cf) (Entered: 01/14/2019)
02/12/2019	<u>27</u>	ORDER: The parties shall submit a joint status report no later than February 22, 2019. SO ORDERED. (Signed by Magistrate Judge Stewart D. Aaron on 2/12/2019) (js) (Entered: 02/12/2019)
02/21/2019	<u>28</u>	STATUS REPORT. Document filed by United States Bureau of Alcohol, Tobacco, Firearms, and Explosives.(Bretz, Emily) (Entered: 02/21/2019)
02/22/2019	<u>29</u>	MEMO ENDORSEMENT on re: <u>28</u> Status Report, filed by United States Bureau of Alcohol, Tobacco, Firearms, and Explosives. ENDORSEMENT: SO ORDERED. (Signed by Magistrate Judge Stewart D. Aaron on 2/22/2019) (kl) (Entered: 02/22/2019)
04/24/2019	<u>30</u>	STATUS REPORT. Document filed by United States Bureau of Alcohol, Tobacco, Firearms, and Explosives.(Bretz, Emily) (Entered: 04/24/2019)
04/24/2019	<u>31</u>	MEMO ENDORSEMENT on re: <u>30</u> Status Report filed by United States Bureau of Alcohol, Tobacco, Firearms, and Explosives. ENDORSEMENT: SO ORDERED. (Signed by Magistrate Judge Stewart D. Aaron on 4/24/2019) (kl) (Entered: 04/24/2019)
05/31/2019	<u>32</u>	STATUS REPORT. Document filed by United States Bureau of Alcohol, Tobacco, Firearms, and Explosives.(Bretz, Emily) (Entered: 05/31/2019)
05/31/2019	<u>33</u>	MEMO ENDORSEMENT on re: <u>32</u> Status Report filed by United States Bureau of Alcohol, Tobacco, Firearms, and Explosives. ENDORSEMENT: Request GRANTED. The parties shall submit a joint status report no later than June 28, 2019. SO ORDERED. (Signed by Magistrate Judge Stewart D. Aaron on 5/31/2019) (anc) (Entered: 05/31/2019)
06/28/2019	<u>34</u>	STATUS REPORT. Document filed by United States Bureau of Alcohol, Tobacco, Firearms, and Explosives.(Bretz, Emily) (Entered: 06/28/2019)
06/28/2019	<u>35</u>	MEMO ENDORSEMENT on re: <u>34</u> Status Report filed by United States Bureau of Alcohol, Tobacco, Firearms, and Explosives. ENDORSEMENT: Application GRANTED. The parties shall file another joint letter regarding the status of discovery on July 26, 2019. SO ORDERED. (Signed by Magistrate Judge Stewart D. Aaron on 6/28/2019) (kl) (Entered: 06/28/2019)
07/26/2019	<u>36</u>	STATUS REPORT. Document filed by United States Bureau of Alcohol, Tobacco, Firearms, and Explosives.(Bretz, Emily) (Entered: 07/26/2019)
07/26/2019	<u>37</u>	MEMO ENDORSEMENT on re: <u>36</u> STATUS REPORT. Document filed by United States Bureau of Alcohol, Tobacco, Firearms, and Explosives. ENDORSEMENT: The Parties' proposal is GRANTED. A joint status report shall be filed on August 23, 2019. SO ORDERED. (Signed by Magistrate Judge Stewart D. Aaron on 7/26/2019) (rjm) (Entered: 07/26/2019)
08/23/2019	<u>38</u>	STATUS REPORT. Document filed by United States Bureau of Alcohol, Tobacco, Firearms, and Explosives.(Bretz, Emily) (Entered: 08/23/2019)

08/26/2019	<u>39</u>	MEMO ENDORSEMENT on re: <u>38</u> Status Report filed by United States Bureau of Alcohol, Tobacco, Firearms, and Explosives. ENDORSEMENT: The parties' proposal is GRANTED. A joint status report shall be filed on September 20, 2019. So Ordered. (Signed by Magistrate Judge Stewart D. Aaron on 8/26/2019) (js) (Entered: 08/26/2019)
09/20/2019	<u>40</u>	STATUS REPORT. Document filed by United States Bureau of Alcohol, Tobacco, Firearms, and Explosives.(Bretz, Emily) (Entered: 09/20/2019)
09/20/2019	<u>41</u>	MEMO ENDORSEMENT on re: <u>40</u> Status Report filed by United States Bureau of Alcohol, Tobacco, Firearms, and Explosives. ENDORSEMENT: The Parties' proposal is GRANTED. A joint status report shall be filed on October 18 2019. SO ORDERED (Signed by Magistrate Judge Stewart D. Aaron on 10/18/2019) (js) (Entered: 09/20/2019)
10/18/2019	<u>42</u>	STATUS REPORT. Document filed by Eileen Sullivan, The New York Times Company.(Crain, Charles) (Entered: 10/18/2019)
10/21/2019	<u>43</u>	MEMO ENDORSEMENT on re: <u>42</u> Status Report filed by The New York Times Company, Eileen Sullivan. ENDORSEMENT: Request GRANTED. The parties shall file a joint status report on 11/18/19. SO ORDERED. (Signed by Magistrate Judge Stewart D. Aaron on 10/21/2019) (kl) (Entered: 10/21/2019)
11/18/2019	<u>44</u>	STATUS REPORT. Document filed by United States Bureau of Alcohol, Tobacco, Firearms, and Explosives.(Bretz, Emily) (Entered: 11/18/2019)
11/19/2019	<u>45</u>	MEMO ENDORSEMENT on re: <u>44</u> Status Report filed by United States Bureau of Alcohol, Tobacco, Firearms, and Explosives. ENDORSEMENT: No later than December 18, 2019, the parties shall submit a joint status report. SO ORDERED. (Signed by Magistrate Judge Stewart D. Aaron on 11/19/2019) (rj) (Entered: 11/19/2019)